

**PB# 90-4**

**EXPRESS CORP OF OC**

**33-2-1**

EXPRESS CORP. OF ORANGE CO. #90-4  
(RT. 207) (GREVAS & HILDRETH)

*Approved 4-5-90*

**General Receipt**

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, N. Y. 12550

11186  
February 16, 1990

Received of J.S.W. Shurt \$ 25<sup>00</sup>/<sub>100</sub>

Twenty-five and <sup>00</sup>/<sub>100</sub> DOLLARS

For Planning Board Application Fee (#90-4)

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1095		<u>25<sup>00</sup>/<sub>100</sub></u>

By Pauline J. Townsend  
Town Clerk  
Title

Williamson Law Book Co., Rochester, N. Y. 14609

**General Receipt**

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, N. Y. 12550

11187  
February 16, 1990

Received of Pauline J. Townsend, Town Clerk \$ 750<sup>00</sup>/<sub>100</sub>

Seven Hundred Fifty and <sup>00</sup>/<sub>100</sub> DOLLARS

For Minimum Site Plan (#90-4) Express Cop. of Orange City, Inc.

DISTRIBUTION

FUND	CODE	AMOUNT
Check # 1094		<u>750<sup>00</sup>/<sub>100</sub></u>

By Susan Zappala  
Deputy Comptroller  
Title

Williamson Law Book Co., Rochester, N. Y. 14609

**General Receipt**

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, N. Y. 12550

11282  
April 3, 1990

Received of James B. Petro, Jr. \$ 100.00

One Hundred and <sup>00</sup>/<sub>100</sub> DOLLARS

For Planning Board Site Plan Approval Fee #90-4

DISTRIBUTION

FUND	CODE	AMOUNT
CK # 2183		<u>100.00</u>

By Pauline J. Townsend  
Town Clerk  
Title

Williamson Law Book Co., Rochester, N. Y. 14609

County File No. NWT 7-90M

**COUNTY PLANNING REFERRAL**

(Mandatory County Planning Review under Article 12-B,  
Section 239, Paragraphs 1, m & n, of the  
General Municipal Law)

Application of Philip Crotty (Express Corp. of Orange  
for a Site Plan Route 207 County, Inc)

County Action: returned for Local Determination

**LOCAL MUNICIPAL ACTION**

The Above-cited application was:

Denied ..... Approved .....

Approved subject to County recommendations

.....  
(Date of Local Action)

.....  
(Signature of Local Official)

This card must be returned to the Orange County Department of Planning  
within 7 days of local action.



America the Beautiful USA 15

**ORANGE COUNTY DEPARTMENT OF PLANNING  
AND DEVELOPMENT**

**124 Main Street**

New York City:  
*Manhattan Skyline*

**Goshen, N.Y. 10924**

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/02/90

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW ACCOUNT

FOR PROJECT NUMBER: 90-4

NAME: EXPRESS CORP. OF ORANGE COUNTY, INC.

APPLICANT: HUNT, NANCY

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
02/15/90	MINIMUM SITE PLAN	PAID		750.00	
03/30/90	ENGINEER FEE	CHG	102.50		
		TOTAL:	102.50	750.00	-647.50

Please send check in the  
amount of \$647.50 to:

Nancy Hunt  
P.O. Box 673  
Cornwall, N.Y. 12518

Gave to Larry Reis 4-2-90 @

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/02/90

PAGE: 1

LISTING OF PLANNING BOARD FEES  
MUNICIPAL CHARGES

FOR PROJECT NUMBER: 90-4

NAME: EXPRESS CORP. OF ORANGE COUNTY, INC.  
APPLICANT: HUNT, NANCY

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
02/15/90	APPLICATION FEE	CHG	25.00		
02/15/90	APPLICATION FEE	PAID		25.00	
03/30/90	SITE PLAN APPROVAL	CHG	100.00		
03/30/90	SITE PLAN APPROVAL	PAID		100.00	
		TOTAL:	125.00	125.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/02/90

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW ACCOUNT

FOR PROJECT NUMBER: 90-4

NAME: EXPRESS CORP. OF ORANGE COUNTY, INC.  
APPLICANT: HUNT, NANCY

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
02/15/90	MINIMUM SITE PLAN	PAID		750.00	
03/30/90	ENGINEER FEE	CHG	102.50		
		TOTAL:	102.50	750.00	-647.50

90-4



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN OF New Windsor P/B #      -     

WORK SESSION DATE: 6 FEB '90 APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:     

PROJECT NAME: (Hunt) - Express Corp of NYC

PROJECT STATUS: NEW      OLD     

REPRESENTATIVE PRESENT: EBG - Gary Hunt -

TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP.       
ENGINEER X  
PLANNER       
P/B CHMN.       
OTHER (Specify)     

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Rt 207 & Bivona Lane.

- repl. tank (Compast) <sup>continued</sup> Special Permit for fuel station.
- enclosure TBR
- one detail (top section) curb "wall"  
pull spikes across back.
- OC Planning -

Possible 2/14/90 agenda.



EXPRESS CORP. SITE PLAN:

Elias Grevas, L.S., and Phil Crotty, Esq., came before the Board presenting the proposal.

BY MR. GREVAS: Since our last meeting a few things have happened. Number one, we have shown the approximate location of the well inside the building. Number two, we have added a note indicating that the property is within Sewer District Number 19. The note number five has been revised to indicate that this is an extension of an existing or pre-existing use and that the, what use the property is intended to be. Also, there was a note in Mark's comments about the curbing on along the easterly side of the property and we have shown that that is at the top or short of the top of the slope going down from the property. Actually, there is enough room to put the parking spaces in. Just as a point of information, we attempted to find out whether the property was connected to the sewer easement. I believe it is, based on asphalt patching and some excavation in the rear of the building. A die test was scheduled and arye. That should be done very shortly. If it is not connected, it will be. It is within the sewer district. At this point on and we notified Orange County Planning Department on the 8th of March. I don't know if you have received anything from them or not.

BY MR. EdSALL: Is this the new plan?

BY MR. GREVAS: What?

BY MR. EDSALL: What you have handed out, is that different than the one I have?

BY MR. GREVAS: No, it is not the same plan.

BY MR. PAGANO: Mr. Grevas, two quick questions. One is have you addressed the signs?

BY MR. GREVAS: They are going to be on the, we addressed those at the last meeting on the canopy.

BY MR. PAGANO: And the vent pipes, where are you going to locate them for the tanks?

March 14, 1990

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BY MR. VAN LEEUWEN: They are existing alongside the building.

BY MR. GREVAS: We have to go in accordance with the D.E.C. requirements.

BY MR. MCCARVILLE: Fire code will take care of that.

BY MR. VAN LEEUWEN: You are not going to use the existing tanks?

BY MR. GREVAS: No, sir. They are coming out. There is a note on the plan. they have to placed in accordance.

BY MR. SOUKUP: How long has the property been abandoned?

BY MR. VAN LEEUWEN: Six or seven years. There has been a trailer in front there.

BY MR. SOUKUP: Hasn't been used in any way for six years?

BY MR. BABCOCK: There was a radio shop of some type in there.

BY MR. VAN LEEUWEN: Couple of months they left. Been empty on and off.

BY MR. SOUKUP: You don't have extension of existing use as a gas station because it hasn't been used for that in six years, over a year constitutes abandonment.

BY MR. GREVAS: But it is not a nonconforming use.

BY MR. SOUKUP: I thought it was special use permit.

BY MR. GREVAS: It is now. It wasn't at the time. It was established, that is rezoning. The special use permit did not exist.

BY MR. SOUKUP: I asked about it because you said it existed. Now you are telling me this never was one?

BY MR. GREVAS: It pre-existed zoning.

BY MR. SOUKUP: It's been abandoned for more than a year and currently a special use permit in the ordinance so you have to have a hearing for the gas line use, am I correct?

BY MR. CROTTY: The tanks were in the ground the whole time.

BY MR. SOUKUP: It hasn't been used.

BY MR. CROTTY: It hasn't been unused.

BY MR. SOUKUP: It hasn't physically sold gas.

BY MR. CROTTY: The test is whether the tanks were in the ground.

BY MR. SOUKUP: Ask the attorney to give us an opinion.

BY MR. VAN LEEUWEN: ATI was in there for about three or four months. Now I don't know if it's been within one year. That I can't tell you offhand, but ATI did sell gas out of there.

BY MR. SOUKUP: I asked that question. I was told six years ago. It didn't sell gas. If the attorney wants to give us a different opinion, I will stand by that.

BY MR. KRIEGER: Now, there is a factual dispute. You have to find out did ATI do it or not. If there was nobody selling gas there, then I am not sure that the fact that the tanks were in the ground alone is going to serve as a pre-existing use. Otherwise if you adopt that reasoning, otherwise you can bury tanks and not use them and say well that is it. Tanks in the ground. I don't think that is what is contemplated by the ordinance. But then, if you have the use for ATI use for that period of time, that is a totally different matter all together.

BY MR. VAN LEEUWEN: Right now it is dilapidated building.

BY MR. KRIEGER: Now it is, but I think that is

whether or not there was an ATI use there.

BY MR. VAN LEEUWEN: Yes, there was. That I do know. I go past there constantly. I can't remember the distance, only two or three months, that is all it went.

BY MR. KRIEGER: The test is whether it was within, I think it is a year. Even if it was a year, if it was a day within that time period, I don't think that matters. That is a use and I think you have to determine that first because if that in fact occurred, if ATI used it within a year, then I would say within a year that the time the application was made not within a year of now, that would be dispositive of the question. That is the end of it and he would have status. If they didn't, well my inclination is not to think that is a pre-existing use, simply by having the tanks buried. It is certainly now entertain or argument or research but that is not my initial reaction is not to accept that. First you have to find out about the ATI business.

BY MR. VAN LEEUWEN: I go past there every day.

BY MR. KRIEGER: ATI was in there, but is there any way of being able to determine it?

BY MR. VAN LEEUWEN: I have to sit down and think. I can't off the top of my head, I can't remember when they were out of there, year or two years, I can't tell.

BY MR. CROTTY: That plus the fact that there are gas tanks and they haven't been abandoned establishes the fact.

BY MR. KRIEGER: Were they used?

BY MR. CROTTY: They don't have to be used. They were not abandoned.

BY MR. KRIEGER: If they were sitting in the ground and not hooked up to a pump.

BY MR. CROTTY: Doesn't have that in the ordinance that they have to be hooked up to a pump. They were gas tanks at the site unabandoned.

BY MR. KRIEGER: If they are not hooked up to a pump and nobody's using them, isn't that abandoned?

BY MR. DUBALDI: I think we should find out.

BY MR. KRIEGER: First you have to find out about the ATI question. If they were hooked up to a pump, for instance, even if they were not selling gas on a retail basis.

BY MR. VAN LEEUWEN: The pumps haven't been out of there that long ago. The pumps are missing now, but the pumps haven't been, they have been in there within a year of the application.

BY MR. KRIEGER: Then I would accept the argument if they were hooked up to pumps, even if they weren't, nobody was using the pumps but they were useable and hooked up to pumps, then I would accept the argument.

BY MR. VAN LEEUWEN: There was an accident and one of the pumps were run over by a truck and I don't think that is that long ago.

BY MR. GREVAS: My only question, since I don't go back with this property before having done the survey, my only question would be of Mike in issuing a building permit or a C.O., rather, for a gas line station here, would that be a proper application?

BY MR. BABCOCK: Let me say one thing. What we do typically if somebody has tanks on their property, we order them to remove those tanks. D.E.C. regulations say that you have one year to make up your mind what you are going to do with the tanks. At the end of the year you either have to abandon the tanks one year from the day they were ordered to do it, typically the fire inspector will do that.

BY MR. KRIEGER: The ordering is the beginning of the time period?

BY MR. BABCOCK: Right, to my knowledge there has been no order to remove these tanks and we would do that if those tanks were unsafe or we felt they

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needed to come out.

BY MR. KRIEGER: If it was brought to your attention that it was unsafe, you'd do it?

BY MR. BABCOCK: Yes.

BY MR. VAN LEEUWEN: When was the radio place in there, you know, the place that was installing radios and they were doing not CB's but the mobile radios, there was a mobile radio place there, they were using one pump to pump gas that I do remember.

BY MR. KRIEGER: Then that is fine. If you have evidence presented to you of use of that facility.

BY MR. VAN LEEUWEN: I didn't have any pictures.

BY MR. KRIEGER: I didn't say what evidence. That is up to you. You can decide whether the quality of evidence submitted to you is sufficient or not. That is in your discretion. You have to have something to you, even if it is something somebody saying I remember. If you decide that that is enough to establish in your mind the fact that it was used within a year. Now I am telling you that is dispositive of the question.

BY MR. PAGANO: We have a review from the fire department that the, a review of the above referenced subject Express Corp. of America and county site plan was conducted on March 12, 1990. Bobby Rogers and in my experience with Bobby Rogers is that his memory is very good and I am sure that if this had lapsed, Bobby would have caught it and I am sure their records are not showing anything to that effect, so I think if the Board wants to and it could utilize Mr. Rogers' judgement on this, that the gas station has some continuity to it. If we can use that type of wording --

BY MR. KRIEGER: If you find it was used, whether or not it was sold on a retail basis makes no difference. I don't think it makes a difference whether or not there was actually gas pumped out of there. If it was useable to pump gas within a year.

March 14, 1990

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BY MR. VAN LEEUWEN: When a truck took the one pump off, they took the other one off because when I went past the other pump was gone.

BY MR. VAN LEEUWEN: The green trailer has only been removed how many months?

BY MR. BABCOCK: I don't know.

BY MR. VAN LEEUWEN: It was still there last summer because I complained to you about it.

BY MR. PAGANO: We are missing two things. One is Orange County approval. I don't see anything in our file. And the other is I don't know whether it is required or not and it is DOT approval since it is on 207.

BY MR. VAN LEEUWEN: Curb cuts were redone.

BY MR. MCCARVILLE: I make a motion that we approve the site plan for the Express Corp. of Orange County.

BY MR. PAGANO: Before we make the approval, do we have to make any other approvals?

BY MR. DUBALDI: We are saying there is a special use permit already in place.

BY MR. VAN LEEUWEN: Doesn't need a use permit because it's been used over the years. It is pre-existing, grandfathered in.

BY MR. KRIEGER: He didn't need one to begin with. It was used within a year of the application, which as I said, you may find from any evidence, somebody saying I remember that it is six months. You may find legally you are entitled to find that is sufficient if it was used within a year that the application was first made and it first required its status before the zoning law was enacted, then he doesn't need a special use permit.

BY MR. PAGANO: Number six on the comments I was concerned we still have to --

BY MR. MCCARVILLE: I looked at the word may. Subject to the county comments.

March 14, 1990

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BY MR. VAN LEEUWEN: I will second it.

BY MR. PAGANO: Motion and second approval subject to Orange County approval.

BY MR. MCCARVILLE: I wouldn't say Orange County approval, I'd say comments, receipt of comments from the Orange County Planning Department.

BY MR. LANDER: You don't have water service?

BY MR. GREVAS: There is a well, it is inside the building.

BY MR. CROTTY: There is no water district out there.

ROLL CALL:

McCarville: Aye.

VanLeeuwen: Aye.

Soukup: No. I don't feel the applicant has provided sufficient information on prior existing use.

Dubaldi: No, I agree with Mr. Soukup.

Lander: Aye.

Pagano: Aye.





MARY MCPHILLIPS  
County Executive

Department of Planning  
& Development

124 Main Street  
Goshen, New York 10924  
(914) 294-5151

PETER GARRISON Commissioner  
VINCENT HAMMOND Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT  
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor Planning Bd. D P & D Reference No. NWT 7-90M

County I.D. No. 33 / 2 / 1

Applicant Philip Crotty- Express Corp. of Orange County, Inc.

Proposed Action: Site Plan- NYS Route 207

State, County, Inter-Municipal Basis for 239 Review frontage/access to NYS Rt. 207

Comments: There are no intra-community or countywide planning issues and/or  
concerns to bring to your attention.

Related Reviews and Permits NYSDOT

County Action: Local Determination XXXXXX Disapproved        Approved       

Approved subject to the following modifications and/or conditions:       

3/29/90  
Date

CC: H.E.

Peter Garrison  
Commissioner

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, ~~SEWER~~, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval ✓  
Subdivision \_\_\_\_\_ as submitted by  
G & H for the building or subdivision of  
EXPRESS CORP OF O. C. has been  
reviewed by me and is approved \_\_\_\_\_,  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

John P. Egitt  
SANITARY SUPERINTENDENT

2-20-90  
DATE

CC: M.E.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/14/90

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 90-4

NAME: EXPRESS CORP. OF ORANGE COUNTY, INC.

APPLICANT: HUNT, NANCY

	ISS-DATE	AGENCY-----	RESP-DATE	ACTION-----
ORIG	02/15/90	MUNICIPAL HIGHWAY	03/05/90	SUPERSEDED BY REV1
ORIG	02/15/90	MUNICIPAL WATER	02/20/90	APPROVED
ORIG	02/15/90	MUNICIPAL SEWER	03/05/90	SUPERSEDED BY REV1
ORIG	02/15/90	MUNICIPAL SANITARY . NO INFORMATION REGARDING WASTE DISPOSAL	02/16/90	DISAPPROVED
ORIG	02/15/90	MUNICIPAL FIRE	02/26/90	APPROVED
ORIG	02/15/90	PLANNING BOARD ENGINEER	03/05/90	SUPERSEDED BY REV1
ORIG	02/15/90		03/05/90	SUPERSEDED BY REV1
REV1	03/05/90	MUNICIPAL HIGHWAY	/ /	
REV1	03/05/90	MUNICIPAL WATER	03/06/90	APPROVED
REV1	03/05/90	MUNICIPAL SEWER	/ /	
REV1	03/05/90	MUNICIPAL SANITARY	03/06/90	APPROVED
REV1	03/05/90	MUNICIPAL FIRE	03/12/90	APPROVED
REV1	03/05/90	PLANNING BOARD ENGINEER	/ /	
REV1	03/05/90		/ /	

IOC.PB  
EXPRESS

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board

**FROM:** Town Fire Inspector

**DATE:** 12 March 1990

**SUBJECT:** Express Corp. of Orange County, Inc. Site Plan

**PLANNING BOARD REFERENCE NUMBER:** PB-90-04

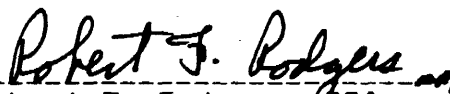
**DATED:** 5 March 1990

**FIRE PREVENTION REFERENCE NUMBER:** FPS- 90-017

A review of the above referenced subject site plan was conducted on 12 March 1990.

This site plan is found acceptable.

**PLANS DATED:** 5 March 1990, Revision 1.

  
Robert F. Rodgers; CCA  
Fire Inspector

RR:mr  
Att.

✓  
CC:M.E.

Revised

MAR - 5 1960

90 - 4

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,  
D.O.T., O.C.H., O.C.P., D.P.W., ~~SEWER~~, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Wm. B. Hildreth for the building or subdivision of  
Express Corp. of Orange Co. Inc. has been  
reviewed by me and is approved \_\_\_\_\_,

~~disapproved~~ \_\_\_\_\_.

If ~~disapproved~~, please list reason \_\_\_\_\_

There is no town water in this area

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

[Signature]  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

✓  
CC: M.E.

Rev

MAR - 5 1990

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BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~REVIEW~~  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by

CREVAS and Hildreth for the building or ~~subdivision~~ of  
Express Corp of Orange County, Inc has been  
reviewed by me and is approved ☒

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

A Spur has been provide for this property

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Lynnam H. Masten Jr  
SANITARY SUPERINTENDENT

March 6, 1990  
DATE

✓  
CC:M.E.

IOC.PB  
EXPR

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board

**FROM:** Town Fire Inspector

**DATE:** 26 February 1990

**SUBJECT:** Express Corp. of Orange County, Inc.

**PLANNING BOARD REFERENCE NUMBER:** PB-90-4

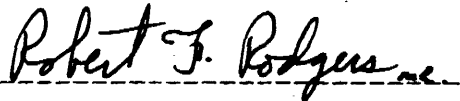
**DATED:** 8 February 1990

**FIRE PREVENTION REFERENCE NUMBER:** FPS-90-011

A review of the above referenced site plan was conducted on 26 February 1990.

This site plan is found acceptable.

**PLANS DATED:** 7 February 1990

  
Robert F. Rodgers; CCA  
Fire Inspector

RR:mr  
Att.

✓  
CC: M.E.

90-4

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by  
Groves & Hildreth for the building or subdivision of  
Express Corp. of Ok. Co. has been  
reviewed by me and is approved ☒  
disapproved.

If disapproved, please list reason.

There is no town water in this area.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

Steve D. D. D.  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

✓  
cc: M.E.



Original

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BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~Inc.~~  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by

Grevas and Hildreth for the building or subdivision of  
Express Corp. of Orange County, Inc. has been  
reviewed by me and is approved \_\_\_\_\_,  
disapproved ☒.

If disapproved, please list reason \_\_\_\_\_

No information regarding waste disposal  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Luman R. Masten Jr.  
SANITARY SUPERINTENDENT

Feb. 16, 1990  
DATE

✓  
CC: M.E.

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

(This is a two-sided form)

Date Received \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid \_\_\_\_\_

APPLICATION FOR SITE PLAN, ~~SUBDIVISION PLAN,~~  
~~OR LOT LINE CHANGE~~ APPROVAL

1. Name of Project EXPRESS CORP OF ORANGE COUNTY, INC.
2. Name of Applicant NANCY HUNT Phone \_\_\_\_\_  
Address P.O. Box 673 Cornwall N.Y. 12518  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record PHILIP CROTTY Phone \_\_\_\_\_  
Address Temple Hill Road New Windsor N.Y.  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan GREMS & HEDRETH L.S.P.C. Phone 562-8667  
Address 33 QUASSACK AVE New Windsor N.Y. 12550  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney N/A Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting GREMS & HEDRETH L.S.P.C. Phone (same)  
(Name)
7. Location: On the SOUTH side of RT. 207 AT THE  
SOUTHEAST END INTERSECTION  
(Street) (Direction)  
of BIVONA LANE AND ROUTE 207  
(Street)
8. Acreage of Parcel 0.27 9. Zoning District NC
10. Tax Map Designation: Section 33 Block 2 Lot 1
11. This application is for SITE PLAN APPROVAL OF RETAIL SALES AND CONTINUED OPERATION OF GAS FILLING STATION

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? UNKNOWN

If so, list Case No. and Name \_\_\_\_\_

13. List all contiguous holdings in the same ownership NONE  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT  
(Completion required ONLY if applicable)

COUNTY OF ORANGE  
SS.:  
STATE OF NEW YORK

\_\_\_\_\_ being duly sworn, deposes and says  
that he resides at \_\_\_\_\_  
in the County of \_\_\_\_\_ and State of \_\_\_\_\_  
and that he is (the owner in fee) of \_\_\_\_\_  
(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized \_\_\_\_\_ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

\_\_\_\_\_ day of Feb 1990  
Peter R. Weingarten  
Notary Public  
PETER R. WEINGARTEN  
Notary Public  
Orange County  
Commission Expires 7/31/91  
(Owner's Signature)  
Nancy J. Hunt  
(Applicant's Signature)  
Pres  
(Title)

PROXY STATEMENT  
for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

Philip Crotty, deposes and says that he  
resides at TEMPLE HILL RD. NEW WINDSOR, N.Y.  
(Owner's Address)

in the County of ORANGE

and State of NEW YORK

and that he is the owner in fee of TAX MAP SECTION 33

Block 2 Lot 1

which is the premises described in the foregoing application and  
that he has authorized EXPRESS CORP OF ORANGE COUNTY INC.  
to make the foregoing application as described therein

Date: 2/6/90

[Signature]  
(Owner's Signature)

[Signature]  
(Witness' Signature)

PROJECT I.D. NUMBER

617.21

Appendix C

SEQR

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>EXPRESS CORP OF ORANGE COUNTY, INC</b>	2. PROJECT NAME <b>EXPRESS CORP OF ORANGE COUNTY, INC. SITE PLAN</b>
3. PROJECT LOCATION: Municipality <b>TOWN OF NEW WINDSOR</b> County <b>ORANGE</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>SOUTH SIDE OF ROUTE 207 AT SOUTHEAST INTERSECTION OF BINONA LANE AND ROUTE 207</b>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>CONVERSION OF EXISTING BUILDING TO RETAIL SALES WITH CONTINUATION OF GASOLINE FILLING STATION USE.</b>	
7. AMOUNT OF LAND AFFECTED: Initially <b>0.27</b> acres    Ultimately <b>0.27</b> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency(s) and permit/approvals <b>N.Y.S. D.E.C. REGISTRATION OF FUEL TANKS AFTER INSTALLATION.</b>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If yes, list agency name and permit/approval <b>EXISTING GAS FILLING STATION</b>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <b>EXPRESS CORP OF ORANGE COUNTY, INC.</b> Date: <b>FEB 7, 1990</b>	
Signature: <b>Nancy L. Hunt Pres.</b>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

**A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?** If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

**B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?** If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

**C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)**

**C1.** Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

**C2.** Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

**C3.** Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

**C4.** A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

**C5.** Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

**C6.** Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

**C7.** Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

**D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?**

☐ Yes ☐ No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (if different from responsible officer)

\_\_\_\_\_  
Date

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

ITEM

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title              | 29. <input checked="" type="checkbox"/> Curbing Locations      |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)          | 30. <input checked="" type="checkbox"/> Curbing Through        |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)      | Section  |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name    | 31. <input checked="" type="checkbox"/> Catch Basin Locations  |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input checked="" type="checkbox"/> Catch Basin Through    |
| 6. <input checked="" type="checkbox"/> Drawing Date                 | Section  |
| 7. <input checked="" type="checkbox"/> Revision Dates               | 33. <input checked="" type="checkbox"/> Storm Drainage         |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET               | 34. <input checked="" type="checkbox"/> Refuse Storage         |
| 9. <input checked="" type="checkbox"/> Site Designation             | 35. <input checked="" type="checkbox"/> Other Outdoor Storage  |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet  | 36. <input checked="" type="checkbox"/> Water Supply           |
| of Site   | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10)  | 38. <input checked="" type="checkbox"/> Fire Hydrants          |
| 12. <input checked="" type="checkbox"/> PLOT PLAN                   | 39. <input checked="" type="checkbox"/> Building Locations     |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)  | 40. <input checked="" type="checkbox"/> Building Setbacks      |
| 14. <input checked="" type="checkbox"/> Metes and Bounds            | 41. <input checked="" type="checkbox"/> Front Building         |
| 15. <input checked="" type="checkbox"/> Zoning Designation          | Elevations   |
| 16. <input checked="" type="checkbox"/> North Arrow                 | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners    | 43. <input checked="" type="checkbox"/> Sign Details           |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input checked="" type="checkbox"/> BULK TABLE INSET       |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas        | 45. <input checked="" type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation         | 100 sq. ft.)   |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress    | 46. <input checked="" type="checkbox"/> Building Coverage (sq. |
|   | ft.)   |
| <u>PROPOSED IMPROVEMENTS</u>  | 47. <input checked="" type="checkbox"/> Building Coverage (%   |
| 22. <input checked="" type="checkbox"/> Landscaping                 | of Total Area)   |
| 23. <input checked="" type="checkbox"/> Exterior Lighting           | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening                   | ft.)   |
| 25. <input checked="" type="checkbox"/> Access & Egress             | 49. <input checked="" type="checkbox"/> Pavement Coverage (%   |
| 26. <input checked="" type="checkbox"/> Parking Areas               | of Total Area)   |
| 27. <input checked="" type="checkbox"/> Loading Areas               | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.)   |
| 28. <input checked="" type="checkbox"/> Paving Details              | 51. <input checked="" type="checkbox"/> Open Space (% of Total |
| (Items 25-27)   | Area)  |
|   | 52. <input checked="" type="checkbox"/> No. of Parking Spaces  |
|   | Proposed.  |
|   | 53. <input checked="" type="checkbox"/> No. of Parking         |
|   | Required.  |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: William P. Hildrich, L.S.  
Licensed Professional

Date: February 7, 1990



# ZONE BULK REQUIREMENTS TOWN OF NEW WINDSOR (N.C. ZONE)

	Min. Lot Area	Min. Lot Width	Front Yard Set Back	Side Yard Set Back	Rear Yard Set Back	Building Height	Floor Area Ratio
Required For Retail Use:	10,000 SF	100'	40'	15'/35'	15'	35'	1
Required For Filling Station Use:	15,000 SF	125'	40'	15'/30'	15'	23'	.5
Provided:	*11,866 SF	135' +/-	47.3'	27.3'	*12.3'	10 +/-	.1

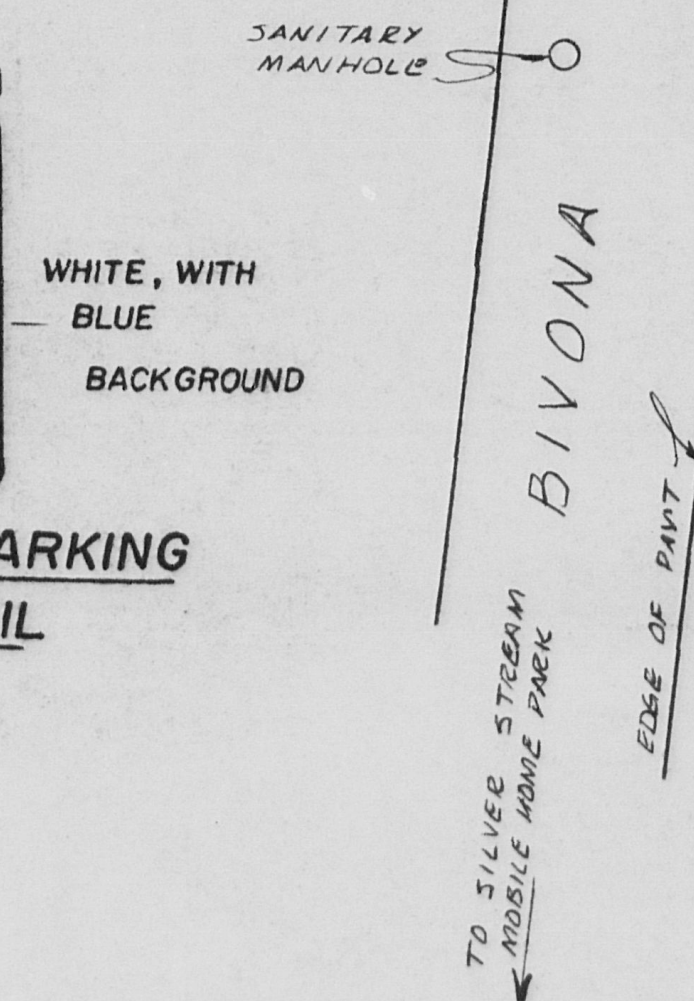
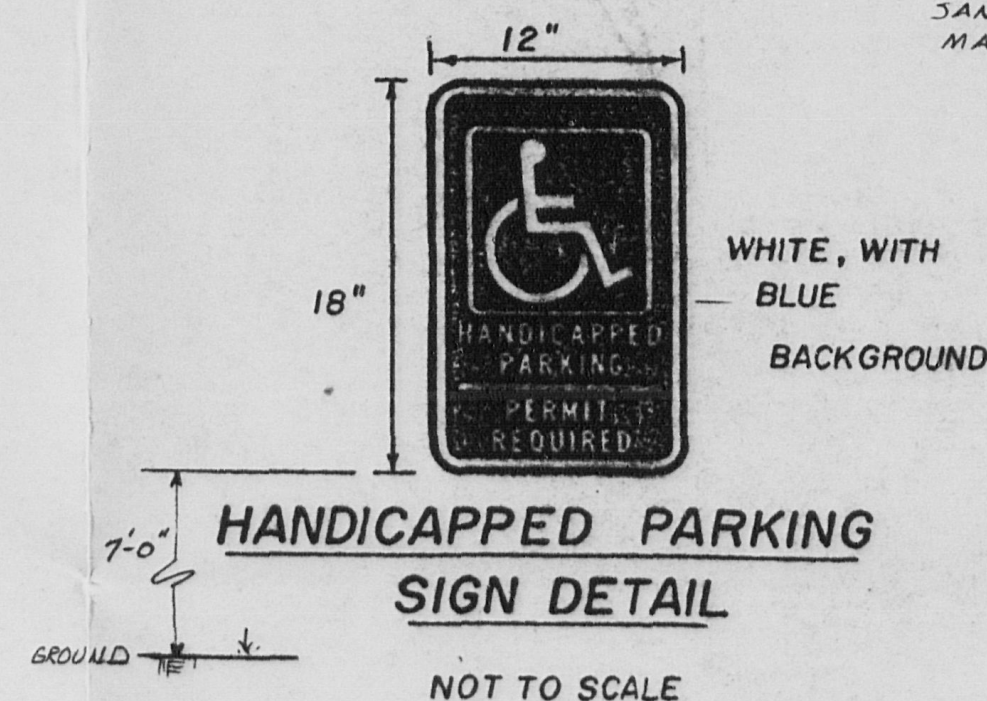
\*Existing Conditions

Parking Requirements For Retail Use:  
1 Space/150 S.F. of Floor Area  
In Sales Use

Parking Calculations:  
1200 S.F. Gross Area  
Estimate 80% in Sales Use = 960 S.F.  
Provided:

7 Spaces  
8 Spaces

NOTE: EXISTING UNDERGROUND FUEL TANKS TO BE REMOVED AND REPLACED WITH THREE 3,000 GALLON TANKS. SEE NOTE NO. 8



SITE PLAN  
SCALE: 1" = 20'



- NOTES**
- Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 33 Block 2 Lot 1.
  - PROPERTY OWNER: Philip Crotty, Temple Hill Road, New Windsor, NY 12550
  - APPLICANT: Express Corp of Orange County, Inc., P.O. Box 673, Cornwall, NY 12518
  - PROPERTY ZONE: NC (Neighborhood Commercial)
  - PROPERTY USES: Retail Sales (permitted use), Gasoline Filling Station (extension of existing use); no service bays to be used
  - WATER SUPPLY: Existing Well
  - SANITARY SEWAGE DISPOSAL: Sewer District No. 19
  - Existing underground fuel tanks to be removed in accordance with 6 NYCRR part 613.
  - Parking spaces on pavement shall be marked as indicated, including the handicapped space.
  - Boundary and Location information shown taken from a survey prepared by the undersigned completed on 30 October 1989.
  - Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the N.Y.S. Education Law.



## PLANNING BOARD APPROVAL

SITE PLAN APPROVAL GRANTED  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON April 5, 1990  
BY Daniel C. McCarville  
DANIEL C. MCCARVILLE  
SECRETARY

Grevas & Hildreth, P.C.  
LAND SURVEYORS  
33 QUAKENBUSH AVENUE, NEW WINDSOR, NEW YORK 12550  
TEL: (914) 562-8667

PLAN FOR:  
EXPRESS CORP. OF ORANGE COUNTY, INC.  
TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK  
DATE 5/5/90  
DESCRIPTION RETIRED FOR PLANNING BOARD COMMENTS OF 2/28/90  
Drawn: JPH  
Checked:  
Scale: As Shown  
Date: 7 Feb 1990  
Job No: 99-117

## SITE PLAN